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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. of: BURNSIDE, Diane K., et al. Art Group: 3738
Serial No: 10/674,726 Examiner: Bruce E. Snow
Filed: September 30, 2003 Attorney Docket: 23,369-155
Title: Stent Graft with Bioabsorbable Support

TRANSMITTAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Enclosed herewith are the following items:

1. Election of Claims and Preliminary Amendment; and
2. Return receipt post card.

The Commissioner is authorized to charge any fee necessitated by this correspondence to Deposit Account No. 12-0449.

Any questions regarding this correspondence can be directed to Frederick W. Niebuhr at 952-896-1574.

Respectfully submitted,

Boston Scientific Scimed, Inc.

Date: November 1, 2004

By: Frederick W. Niebuhr
Frederick W. Niebuhr
Registration No. 27,717
Customer No. 23,452

CERTIFICATE OF MAILING

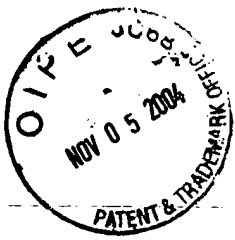
I hereby certify that this Transmittal and accompanying Election of Claims and Preliminary Amendment in U.S. Application Serial No. 10/674,726 are being deposited with the U.S. Postal Service by first class mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date of deposit indicated below.

Date of Deposit: November 1, 2004



Géralyn M. Vita

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ELECTION OF CLAIMS AND PRELIMINARY AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the action dated October 1, 2004, please enter the following election of claims and preliminary amendment to the claims:

1. The applicant hereby elects Group I: claims 36-65, drawn to a stent-graft. This part of the election is made without traverse.

2. Further, the applicant elects the claims within Group I that are directed to Species 3 shown in Figure 3c, with graft 120 inside of stent 110. Accordingly, the elected claims are claims 36-55 and claims 58-65. This part of the election is made with traverse, on the grounds that allowable claims, relating to the broader category of stent grafts, read on several of the species.

Consistent with the foregoing election, cancel claims 56-57 and 66-76, without prejudice.